FOR MYSORE STATE

Mysore. II-27—40,000—27-10-58.

AGRICULTURE (FOOD PRODUCTION) **(195 6) Department.**

MS. **SERIES.**

G.O. No: 244

Dated 6th June 1956

[Despatch Abstract.]

AGRICULTURE - State Trading Scheme - Distribution of Ammonium Sulphate Form of agreement to be executed by the distributor - Amendments - Issued.

GOVERNMENT OF MADRAS

ABSTRACT

AGRICULTURE - State Trading Scheme - Distribution of Ammonium Sulphate - Form of agreement to be executed by the Distributor - Amendments - Issued

AGRICULTURE(FOOD PRODUCTION)DEPARTMENT

G.O.MS.NO.244 DATED 6th June 1956

Read:-

G.O.Ms.No.276 Agriculture(Food Production)Department dated 7-9-54 and subsequent amending Government Orders

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ORDER:

It is observed that, under sub-clause (3) of clause 8 of the form of agreement to be executed by distributors of ammonium sulphate, as it stands at present, it will not be possible to order the forfeiture of the security deposit of a distributor in full or in part and also to terminate the agreement. Cases may however, arise in which it may be found necessary to terminate the agreement besides forfeiting the deposit. The Government, therefore, consider that sub clause(3) of clause 8 of the agreement should be suitably amended so as to provide for the termination of the agreement and for the forfeiture of the security deposit at the same time. The Government are advised that it would not be proper to terminate the agreement or order the forfeiture of the security deposit straightaway without giving the distributor reasonable opportunity to show cause against the proposed punishment. The Government, accordingly, direct that the agreement shall be amended as follows:-

For the existing sub clauses (3) and (4) of clause 8 of the agreement, the following shall be substituted.

"(3). If the distributor shall be guilty of any breach or non-observance of any of the provisions or conditions herein contained and to be performed and observed by the distributor, it shall be lawful for the Collector, after giving reasonable notice in writing, to order forfeiture of the deposit in full or in part and/or to terminate the agreement and the distributor shall, thereupon, forfeit his deposit in full or in part as the case may be and shall be bound to pay to the Governor all losses, costs, damages and expenses which the Governor may incur or sustain by reason of the breach or non-observance by the distributor of the terms, conditions or covenants herein contained and to be performed and observed by the distributor and by the termination of this agreement".

"(4). It shall be lawful for the Government, after giving reasonable notice in writing, to terminate this agreement at any time without being bound to assign any reason therefor and the distributor shall not be entitled to any compensation in respect of any such termination".

2. The agreement does not also provide for the disposal of stocks left with a distributor at the time of the termination of the agreement under sub clauses (2),(3) and (4) of clause 8. The Government have examined the alternatives of resuming the stocks or allowing the distributor to dispose of the stocks left with him at the time of the termination of the agreement and they consider that the balance of convenience lies in allowing the distributor to continue to handle the stocks until they are disposed of according to the terms and conditions of the

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agreement. They accordingly direct that the agreement shall be further amended as indicated below:

The following shall be inserted as sub clause (7) of clause 8 of the agreement and the existing sub clause (7) shall be renumbered as sub clause (8).

"(7). In the event of the termination of this agreement under sub clause (2) or (3) or (4) above, any stocks of ammonium sulphate left with the distributor at the time of such termination shall, unless the Government decide otherwise, continue to be distributed by the distributor according to the terms of this agreement until they are disposed of".

3. The Collectors are requested to get the amendments inserted in the appropriate places in the agreements already executed by the distributors appointed for the period from 1-5-55 and report the fact to the Board.

(BY ORDER OF THE GOVERNOR)

P. SIVASANKARAN PILLAI,
DEPUTY SECRETARY TO GOVERNMENT(EX-OFFICIO)

To
The Collectors of all districts.
Copy to Director of Agriculture,Madras.
Copy to Registrar of Cooperative Societies,Madras
Copy to F.P.IV.B and C
Copy to F.P.I
Copy to Stock File.

FORWARDED/BY ORDER

SUPERINTENDENT.
8/6/56

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